

HARBISON

DEVELOPMENT GUIDELINES

COMMERCIAL & EMPLOYMENT

(C-3 & M-1)

HARBISON DEVELOPMENT GUIDELINES

COMMERCIAL/EMPLOYMENT

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I. INTRODUCTION

Harbison is a community planned for the enjoyment of its residents over a lifetime. In order to secure the enduring values of preserved open space, well planned land use, carefully maintained property and community well being, a Declaration of Covenants, Restrictions, Easements, Charges and Liens has been filed in the Offices of the Register of Mesne Conveyances in Richland and Lexington Counties.

The Declaration runs with the title to all property within Harbison and inures to the benefit of each owner and resident, as well as, to the Harbison Community Association which discharges the Declaration on behalf of all owners. One of the primary responsibilities set forth in the Declaration is the establishment of a design review process by a five member Design and Development Review Committee (hereinafter DDRC).

The DDRC sets, administers and enforces Development Guidelines which stipulate the procedures, specifications and review process for all site planning, land development and building construction within Harbison. The Development Guidelines which follow will be updated periodically to adjust to particular sites and changing situations. The interpretation of the Guidelines by a professionally staffed DDRC will assure that the spirit and values of Harbison are always sustained.

Nothing in these Guidelines, however, will take precedence over any applicable local, state or federal government rules or regulations. The highest standard demanded, whether it be the Development Guidelines or government agency rules, shall control in each situation.

II. OBJECTIVES

The objectives of the DDRC are:

- (a) To achieve harmony of each building and development area with neighboring buildings and development areas while encouraging individual expression and design creativity.
- (b) To achieve harmony of buildings and site development with existing natural features such as topography and trees.
- (c) To achieve adherence by all participants in the development of Harbison to superior planning and design standards consistent with the concept of the Harbison community as a better environment for living, working and recreation.
- (d) To protect and enhance property values within the community by ensuring a well planned and well maintained development.

The operating intent of these Guidelines is to encourage and assist builder/developers to achieve the best use of their sites and the most successful possible buildings. The application of the Development Guidelines is not meant to restrict or confine individual expression. To the contrary, the very intent is to assure the compatibility of changing tastes and designs over the course of development. Present, as well as future residents, should be offered choices and styles of living. The Guidelines are the means to preserve essential harmonies and assure Harbison residents and neighbors of the integrity of development over time.

III. PLANNING CONCEPTS

The Design Guidelines are meant to work within a larger planning framework for Harbison.

Residential, commercial, employment and institutional land uses are linked by a network of roads and pathways allowing people and vehicles to easily move along distinct paths. The land use plan concentrates population around Harbison's major shopping and activity core - develops its lowest densities at the periphery of the site - locates employment and commercial use along the I-26 corridor to act as a buffer from the interstate, and links the community with a hierarchial road system and pedestrian path network.

A well organized system of arterial roads, collector streets, loop streets and cul-de-sacs segregates through traffic from traffic moving into neighborhood destinations, thus providing access for cars and service vehicles to all sites. A complimentary system of bicycle paths and walkways are set within forested greenways that link residential areas to the major activity centers in the community. This system protects pedestrians from vehicular traffic by a series of grade separated underpasses at major road intersections.

The open space plan affords important site planning options. The generous amount of open space allows more flexible lot development through the availability of safe, accessible play and recreation space.

Any change that materially decreases the amount of land devoted to parks and greenways or materially affects the nature of the parks and greenways system in the PUD is a major change.

IV. "TOWN CENTER" AND "EMPLOYMENT" USES

The terms "Town Center"/Commercial and "Employment" only have application to the Harbison General Land Use Plan (see map). The areas of the Plan that are colored red are the "Town Center"/Commercial areas and the areas that are colored grey are the "Employment" areas.

A general cross reference with the local zoning district classification is as follows:

<u>Map Color</u>	<u>Harbison's Designation</u>	<u>Local Zoning District Reference</u>
Red	"Town Center"/Commerical	C-3
Grey	"Employment"	M-1

General Statement of Intent:

Each lot designated "Town Center"/Commercial or "Employment" (unless further restricted in a recorded deed) may be used for:

- a) Office.
- b) Retail, commercial (general).
- c) Warehousing, storage and distribution facilities.
- d) Light manufacturing and component assembly.
- e) Research and development.

as appropriate to the particular location.

Permitted Uses:

- 1) In areas designated "Employment", uses shall be permitted as for Light Industrial (M-1) except that use of any lot for the following purposes shall be considered a major change:

air, transportation
beer, wine & distilled alcoholic beverages, wholesale
botanical & zoological gardens
carpet & upholstery cleaning
chemicals & allied products, wholesale
correctional institution
dry cleaning plant
farm products - raw materials, wholesale
freight forwarding
fuel & ice dealers, including fuel oil & bottled gas

funeral service & crematory
furniture & fixtures, manufacture of
gas production & distribution
launderer, industrial
laundry, power
lumber & other wood products, manufacture of
motor vehicle, passenger transportation, service
facilities for
parking lot
parking structure
racing, including track operation
radio & television broadcasting
railway express service
recycling center 3091-15
sewer system
terminal & joint terminal maintenance facilities for
motor freight transportation
theater, drive-in
trailer & recreational vehicle rental, utility
truck rental & leasing, with or without driver
trucking, local & long distance
trucking with storage, local
water supply
welding shop

- 2) In addition to the above paragraph IV (1), the use of land in the Northwest (opposite Beacon Hill and Settlers Station) (M-1) area and the Fairforest Drive/Woodcross Drive (M-1) area for the following additional purposes shall also be considered a major change:

advertising agency, outdoor
amusement park
amusement & recreation services
apparel & other finished products made from fabrics &
similar material, manufacture of
automotive repair shop
automotive services except car wash
bakery products, manufacture of
boat dealer
disinfecting & extermination service
electric substation
fire protection
gasoline service station
liquor store
lumber & other building materials, retail
machine operator
motion picture production
motor vehicles & automotive parts & supplies, wholesale
motor vehicles, new and/or used
paper & paper products, wholesale
petroleum & petroleum products, except bulk stations &
terminals

printing, publishing & other allied industries
recreational & utility trailer dealers
refrigeration & air conditioning service & repair shops
transportation not elsewhere classified, services
 incidental to
warehouse, mini-public
warehouse, public

Also, land in the Fairforest Drive/Woodcross Drive (M-1) area shall not be used for retail purposes. Furthermore, there shall not be any curb cuts on Woodcross Drive and the subject property should incorporate substantial visual screening. Deviation from these guidelines shall be considered a major change.

- 3) In areas designated "Town Center"/Commercial, uses shall be permitted as for General Commercial (C-3) except that use of any lot for the following purposes shall be considered a major change:

apparel goods & notions, wholesale
bakery products, manufacture of
boat dealer
botanical & zoological gardens
contractor's office, building
contractor's office, general
correctional institution
disinfecting & exterminating service
dormitory
drinking places
drive-in theater
electric substation
fuel & ice dealers, except fuel oil & bottled gas
fuel oil dealers
funeral service & crematory
gas dealer, bottled
golf course, public
goods, wholesale, miscellaneous, non-durable
groceries, wholesale
landscape & garden service
laundry, power
lawn and garden service
massage parlor & spa
merchandising machine operators, automatic
mini warehouse (6-30-1,2)
motion picture production
motor vehicle & auto parts, wholesale
motor vehicle dealers, new and/or used
motor vehicle passenger transportation, facility for
paper products, wholesale
parking lot

parking structure
printing, publishing & allied industries
racing, including track operation
recreational & utility trailer dealer
refrigeration & air conditioning repairs & service
religious organization
schools, elementary & secondary
school, vocational
sewer systems
sorority & fraternity houses
sport club & promoter, professional
testing laboratory, commercial
truck rental & leasing, without driver
trucking without storage, local
used merchandise
utility trailer & recreational vehicle rental
veterinary service, with outdoor kennels
water supply

- 4) In addition to the above paragraph IV (3), the use of land at the Harbison (east) Lake (C-3) site(s) and the West Lake (C-3) site(s) for the following additional purposes shall also be considered a major change:

amusement device, coin operated
amusement & recreations, miscellaneous not elsewhere
classified
amusement park
automotive repair shop
automotive services, miscellaneous, not elsewhere
classified
bowling alley & billiard room
car rental & leasing, passenger without driver
car wash
commercial storage, private
liquor store

Should the use of these parcels not logically relate to the lake, special buffers and treatment will be applied to protect the aesthetic and recreational qualities of the lake (e.g., if gas pumps would be part of a convenience store, they shall be well away from and fully screened from the lake, in addition to appropriate buffers and treatment for the store itself).

Exceptions:

- 1) Any use which generates significant emissions of dust, fumes, gas, smoke, odor, noise, vibration or other disturbance, is and shall be expressly prohibited.

- 2) Any use which is incompatible with close proximity to schools, churches or residential areas, such as bars, gambling parlors, sexually oriented businesses, funeral homes, crematories and cemeteries is expressly prohibited.
- 3) No residential use shall be allowed on a commercial or employment lot except upon prior written approval of the DDRC.

V. ENVIRONMENTAL AND DESIGN CONTROLS

1. Tree Preservation

a. Principles

The most effective approach for protecting existing trees is to plan the site so that structures are carefully sited in relation to significant trees.

Tree damage may be minimized by exercising care as follows:

Placing backfill (even temporarily) on or around the root zone of trees, thus reducing the availability of the established air and water needs of trees.

Careful driving of construction equipment into or through tree areas, in order to reduce substantial soil compaction and blocking the air and water requirements of tree roots.

Stacking or storing supplies too close to trees, may damage the tree bark and/or low hanging limbs, thus destroying the natural character of trees and creating tree wounds which promote disease and insect damage.

Burning in close proximity to trees.

Disposal of chemicals and paint residue.

Conducting trenching operation in the vicinity of tree root systems.

Changing site grades which cause drainage flow into, or the collection of run-off water in the vicinity of trees.

Constructing of paving and other ground surface obstructions within the root zones of trees.

The damage caused by construction activities do not always show up immediately and may take considerable time for tree damage or tree loss to occur. Generally, it is a good policy to keep all of the above activities away from the drip line or root zone of all trees designated for preservation.

b. Requirements

No trees shall be removed from any lot without the express written authorization of the DDRC.

The DDRC will indicate which trees are to be saved and which removed by the owner. DDRC reserves the right to approve the tree cutting operation.

Each builder shall diligently undertake to protect and prevent the removal of or damage to any tree which is not marked for clearing. Damage or destruction of any such tree shall be the responsibility of the builder whether caused by him, his agents, employees, contractors or licensees.

In the event of the destruction of a tree not designated by the DDRC for removal, whether during or after the construction phase, the DDRC, the Harbison Community Association and its agents or designees shall have the Right of Action specified in Section 16.01 of the Declaration of Covenants, Restrictions, Easements, Charges and Liens. This action includes the right to levy a fine. In addition, in the event of extensive tree damage, the DDRC may require landscaping improvements to restore the land to its original condition or character. In the event that the land cannot be restored to its original condition, the Harbison Community Association shall have the right to determine the extent of improvements necessary. The cost of such improvements shall be enforceable upon the Owner.

2. Landscaping

a. Principles

To enhance the total image of the community, shade trees, flowering trees and shrubs and other types of planting should be incorporated in each development area. The extent and scope of each landscaping plan will vary with the size of the lots or parcel and the number of existing trees and plants to be retained after construction.

Every effort should be made by the Owner with the full cooperation of the DDRC to provide the most appealing relationship between the building and existing topography and trees on each lot.

The DDRC will be prepared to offer assistance to builders with regard to all landscaping design decisions.

b. Requirements

No construction or alteration of any structure shall take place on any property without the prior written approval of the DDRC of plans and specifications for the landscaping and soil improvement to accompany such construction or alteration.

Each proposed landscaping plan shall be a specific design for each lot or parcel rather than a simple layout repeated many times over.

All areas on all lots not actually used for buildings, improvements, paved parking or walkways shall be landscaped. In keeping with the intent of the DDRC to maintain the natural condition of the site, the landscaping of all areas of the site not otherwise improved may be waived or partially waived subject to DDRC approval.

The site, including all plant materials whether existing or planted, shall at all times be maintained in a neat and healthy condition.

Adequate protection for trees, planting and pedestrian circulation from automobile overhangs shall be provided.

For specific landscaping guidelines, see Appendix "A".

3. Fences and Walls

a. Principles

Fencing within a given street or development area should be of a consistent family style and should compliment the architectural design or should be of the same material as the dominant material of the related building.

b. Requirements

All fences and walls including fences and barriers of plant material (shrubs, hedges, etc.) are subject to review and approval of the DDRC.

All fences and walls, and their materials, design, colors, surface treatment and placement must be specified and must be approved by the DDRC prior to installation. Where storage areas are not deemed visible but require security, chain link fences may be acceptable.

An individual owner may propose a party wall fence on his side of the common property line provided that: the fence is either two sided or the finished side faces his adjacent neighbor; it is his responsibility alone for the maintenance; and his neighbor is notified of his proposed fence.

Adjacent owners may jointly propose a party wall fence on their common property line which has two finished sides and will then be jointly maintained.

Refer to Appendix "A" - Landscaping Guidelines for additional requirements.

4. Grading and Drainage

a. Principles

In land development projects, it has often been the practice to remove vegetation and strip topsoil - "clear and grub". Following "clearing and grubbing", it has also been the usual practice to regrade and level the land in order to make subsequent development easier. For the following reasons the DDRC strongly discourages these practices:

- (a) Regrading automatically kills all trees and other plant life in the areas affected unless devices such as wells and mounds are employed.
- (b) Regrading disturbs natural drainage and requires additional expense for corrective measures.
- (c) The existing shape of the land is often more beautiful than land which has been cleared and leveled.
- (d) A less regular land form (provided it is natural rather than arbitrary) generally produces a more interesting development.

b. Requirements

Grading and drainage plans and computations will be submitted for review and approval by the DDRC - see also Appendix "B" - Submission Procedures.

Each site must conform to existing grade at property lines.

Grading of a site shall be designed to accomplish:

Lawn grades no less than 2% and paved areas no less than 1%.

Driveway grades no greater than 14%.

All topsoil designated for reuse on the site shall be stock piled at an approved location and replaced after the construction phase is finished.

All slopes where ground cover has been disturbed must be properly stabilized to avoid erosion.

Property line swales shall be designed with a minimum capacity for storms of a 10 year frequency. Lawn areas should have a swale or berm provided at the top of slopes to control erosion. Paved areas should have the drainage directed to a pick up point.

Surface drainage must be collected on site and directed to natural drainage outlets or storm systems so as not to cause damage to adjacent properties as a result of development either during construction or after completion of project.

Drainage from roof areas should be channeled to downspouts and splash boxes, gravel beds or approved splash areas or to a closed system for large roof areas.

After The Harbison Group conveys common property to the Harbison Community Association (which owns, maintains and controls all greenway land and facilities in Harbison), Owners must obtain the approval of the HCA for easements for storm water discharge onto the Common Property.

Off site drainage must be considered carefully. Swales, berms or closed systems must be adequate to handle the entire drainage areas. In cases where the site is contributing 3 C.F.S. or more to an off site drainage facility, it is recommended that the drainage pattern be divided into smaller flows.

All swales must be properly stabilized and/or paved to reduce erosion.

It will be the Owner's responsibility to provide for and protect his property from upstream drainage either over land, in channels or conduits.

Wherever possible, all Owners will provide protective swales and berms so that each lot will drain to a public drainage system without crossing intervening lots.

All roadway and parking facilities shall be so drained as to prevent damage to abutting properties and/or public streets and shall be constructed of materials which will assure a surface resistant to erosion.

Except for temporary use during construction, all utilities must be installed below the surface of the ground unless otherwise approved by the DDRC.

5. Roads and Paving Requirements

The size, location, design and adequacy of all parking facilities, interior driveways, curb cuts and roads must be approved by the DDRC.

The DDRC reserves the right to specify locating and number of access points (curb cuts) from employment/commercial area roads.

Pedestrian walkways shall be provided with access to the greenway system wherever possible. Where such walkways occur as sidewalks, they shall be protected from vehicular overhand and movement by bumpers, curbs or other methods.

All parking spaces shall have curbing or wheel stops as appropriate so as to afford protection from vehicle overhang and movement.

All parking areas shall be so arranged and marked as to provide for orderly safe loading, unloading, parking and storage of vehicles with individual parking spaces clearly defined. Directional arrows and traffic signs will be provided as necessary for traffic control.

Planting strips in which trees or other natural growth are located shall be of sufficient width or shall be so designated so that the plantings and trees shall be protected from vehicles. Plantings and structure shall be located with due regard to traffic safety.

In all cases, adequate protection for trees, planting and pedestrian circulation from automobile overhangs shall be provided by the use of curbs and/or bollards or wheelstops.

6. Signage and Lighting Requirements

No sign of any type will be placed on any site without DDRC approval of design and installation.

The design, lighting, quantity and placement of signs and other advertising devices and graphics, whether permanent or temporarily erected, or maintained upon any portion of the property must be approved by the DDRC.

No billboards or pylon signs shall be permitted.

Roadside signs shall be of monument design (i.e., solid base) and shall be no taller than 7' above adjacent curb or natural existing ground and no longer than 15' in width. Additionally, the "base" portion of the sign shall not be taller than the "copy" portion of the sign. Internal directional signs are permitted provided that they are minimal in size, color and the design match the overall architectural theme of the development.

The maximum length is 15 feet, however, a maximum of 20 feet may be approved as a variance.

Wall mounted signs may be approved provided that their design, size, color and location relate well to the overall architecture of the building.

Corporate type face and logos may be used subject to DDRC approval.

Sign illumination must have DDRC approval prior to installation.

The choice of fixtures, height, their locations and color must be specified and illustrated in both architectural and site development drawings and be approved by the DDRC.

Adequate lighting shall be provided for all parking facilities used at night.

Lighting of off-street parking facilities, illuminated signage or other lighting shall be installed and maintained in a manner not to reflect or cause glare into abutting or facing residential premises nor to cause reflection or glare which adversely affects safe vision of operators of vehicles moving on roads and highways.

7. Architectural

All buildings must be considered in the round since buildings will be viewed from all sides (i.e., although there may be a special treatment on the front or entry, but an architectural concept must be consistent throughout).

The number of materials used for the exterior of all buildings shall be kept to a minimum. One of these materials should clearly have a dominant role.

Buildings must be designed to appear substantial and in no way temporary in nature. Materials used should support this intent: e.g., brick, well finished concrete (precast or poured in place), stucco, architectural block, well designed metal siding, wood and glass.

Approval of the DDRC will be required for any machinery placed or operated upon any lot or on the exterior of any structure, including air conditioning and heating units. Approval by the DDRC may be conditional on the appropriate screening of said machinery.

All flues, vents, down spouts and other appurtenances must be considered as part of the total architectural concept. The treatment of these elements must be indicated on elevations and plans. Material, color and all other pertinent information must also be specified.

For building setbacks, see Appendix "A".

8. Service and Storage Areas

Storage - raw materials, finished goods, products and other material, including trash, pertaining to the use of any employment/commercial lot shall not be place or stored outside any building unless screened from public view.

Loading areas must be screened from public view.

Screening will be done directly by the position of docks and materials relative to viewing points. Screening will also be considered as either an integral part of the building in the case of a wall or fence or an integral part of the landscaping in the case of an earth berm or planted screen.

See Appendix "A" for any further requirements.

APPENDIX "A" LANDSCAPE GUIDELINES

INTENT

These guidelines shall apply to all property within the Harbison Master Plan designated as commercial/employment, and shall supersede any prior applicable guidelines.

The guidelines are designed to:

- Enhance the value of owner investment.
- Protect the character and value of land adjacent to parking lots.
- Improve the appearance of the community by encouraging attractive design and landscaping.
- Improve the image of the community by encouraging the beautification of roads.
- Provide the preservation of vegetation, prevent erosion/sedimentation, and to diminish noise, glare and excessive heat.

Landscape guidelines require the planting of trees in new or expanding developments to promote air purification, oxygen regeneration, and ground water recharge; and to ensure adequate light, air and open space, the preservation of existing trees and the conservation of energy; the guidelines are construed to discourage the unnecessary removal of trees.

DEFINITIONS

These guidelines shall be interpreted according to its literal terms. Words shall be construed as defined in a standard dictionary and syntax shall be understood according to conventional rules. The following terms shall have the following definitions:

BUFFER YARD: A strip of land, improved by landscaping or fences, or both, designed to mitigate the extent of high-intensity land uses on neighboring, lower-intensity uses.

CALIPER: In the case of trees, the distance around the trunk measured eighteen (18) inches above the ground.

DDRC: Design Development Review Committee as defined by the Harbison Declaration of Covenants, Restrictions, Easements, Charges and Liens, Section 8.01.

- GROUND COVER:** Any plant material which serves to prevent soil erosion by covering large areas of ground, and which does not grow above twelve (12) inches in height.
- LOADING AREA:** Any unenclosed area used for loading and unloading vehicles.
- PARKING LOT:** Any parcel of land larger than 3,000 square feet in area which is used by ten (10) or more vehicles, whether for parking, loading, or access to parking or loading areas.
- SHRUB:** Any hard-wooded perennial plant of a species which normally reaches a height between twelve (12) inches and eight (8) feet, and which is between eighty (80) and one hundred (100) percent opaque at maturity.
- TREE, CANOPY:** Any tree of a species which normally reaches a height of thirty (30) feet or more and a crown spread of twenty (20) feet or more at maturity.
- TREE, :
UNDERSTORY** Any tree of a species which normally reaches a height of between eight (8) and thirty (30) feet and a crown spread of less than twenty (20) feet at maturity.

GUIDELINES

I. Perimeter

All efforts shall be made to preserve select existing trees/vegetation in the perimeter areas to meet the requirements in each landscaping strip hereinafter defined. Where inadequate trees/vegetation exists, or where grading is essential, planting requirements are given for each type of landscaping strip.

A. Side Landscaping Strip

- 1) If adjacent property is designated for non-residential use (i.e. commercial/employment), a minimum of ten (10) feet in width shall be retained natural (undisturbed) and, if necessary, be augmented with new plantings to obtain the equivalent of every thirty (30) feet of canopy and understory trees, in addition to appropriate shrubbery.
- 2) If adjacent property is designated for residential use, in addition to item No. 1 above, a continuous buffer of "red tips" or similar buffer plants shall be required.

B. Rear Landscaping Strip

- 1) If adjacent property is not a street, it shall be the same as "A. Side Landscaping Strip".
- 2) If adjacent property is Interstate Highway 26, a minimum of twenty (20) feet in width shall be retained natural (undisturbed) and, if necessary, be augmented with new plantings to obtain the equivalent of every fifty (50) feet of canopy and understory trees. Shrubbery optional.

C. Street(s) Landscaping Strip/Building Setbacks

- 1) No building shall be located closer than 35' to any public road right-of-way.
- 2) Width of Landscaping Strip Along Street Frontage(s)

There shall be no grading within the required widths except in cases where existing or proposed road grades (when combined with proposed site grading) creates a "berm" effect between said road and site.

- a. Twenty (20) feet wide - if property across street is designated commercial, multi-family, or rear yard of single-family.
 - b. Fifty (50) feet wide - if property across street is single-family's front or side yards.
- 3) Planting Requirements
 - a. Canopy trees shall be planted every twenty (20) feet or the equivalent retainment of existing trees.
 - b. Shrubbery shall be planted with no less than sixty six percent (66%) of the road frontage coverage.
 - c. Ground cover of choice shall be required for all disturbed areas.
 - d. Any existing plant material which otherwise satisfies the requirements of this section may be counted towards all such requirements.

II. Parking Lots

The area within the bounds of any parking lot shall be improved with landscaping in order to provide shade, improve the lot's appearance, and break up large expanses of impervious surfaces.

Landscaped islands of at least five (5) feet in width shall be installed in all parking lots at intervals not exceeding every one hundred (100) feet (i.e., no parking space shall be further than 50 feet from a landscaped island). These islands are to occur at the ends of parking aisles, as well as, mid-aisles. In order to accommodate mid-aisle islands, an allowance of twenty five percent (25%) of the required parking spaces having a size of eight (8) feet wide by sixteen (16) feet long may be designed for compact cars.

An appropriate combination of understory, canopy trees and shrubs, but not less than two (2) trees per island shall be required.

III. Service Areas

This section shall apply to all service areas which either present safety hazards or detract from the aesthetics of the community, or both; including, but not limited to, loading docks, garbage collection sites, exposed utility fixtures, HVAC equipment, tanks, etc.

All service areas affected by this article shall be provided with a visual screen consisting of fences or landscaping, or both, designed and installed to screen the area from view from any public street or adjoining property and shall meet or exceed the minimum standards required below:

- A. The screening must be at least six (6) feet in height or the height of the object to be screened;
- B. The screening must extend along the entire perimeter of the service area, except for necessary access.
- C. Fencing shall be designed to relate well to the principal building as to materials and colors. Fences constructed of chain link or similar materials shall require appropriate planting.

Garbage collection sites (dumpsters, compactors) shall be shielded from sight by screening as outlined above and shall be eighty percent (80%) opaque. This screening shall also be provided to deter unauthorized access.

IV. Standards and Materials

A minimum of ten percent (10%) of the total lot area shall be dedicated to landscaped areas.

Where these guidelines require the installation of landscaping, the failure to maintain such landscaping shall be deemed a violation. The requirements of these guidelines

are intended as minimum. Should any of the referenced guidelines conflict with any other lawfully adopted regulations, the stricter requirement or the higher standard shall prevail.

The property owner is responsible for regular weeding, mowing, fertilizing, irrigating, pruning, and maintenance of all plant materials required to comply with these guidelines.

The improvements shown on any landscaping plan that has been approved by the DDRC shall be installed within a reasonable amount of time after the major site work has been completed, but no later than the next appropriate planting season.

Any of the plants shown on the landscaping plan that fails to survive must be replaced with another plant complying with the approved plan within ninety (90) days of notification by the DDRC.

At the time of installation, all canopy trees shall be at least ten (10) feet tall and two and a half (2-1/2) inches in caliper; all understory trees shall be at least five (5) feet tall and one and a half (1-1/2) inches in caliper; and all shrubs shall be at least eighteen (18) inches tall.

V. Plan Requirements

The landscaping plan shall bear the name of the proposed development, the name, address and telephone number of the developer, and the project designer.

This plan shall be drawn to an appropriate scale sufficient to show the true size, shape, and location of all existing and proposed landscaping features as follows:

- A. All plant species shall be labeled and scaled to show location and spread;
- B. A table shall be provided listing species, number, caliper, and height at planting time.

The developer shall submit two (2) copies of the landscaping plan to the DDRC for their review and approval. If approved, the DDRC shall certify, in writing, that the landscaping plan is approved.

APPENDIX "B" - SUBMISSION PROCEDURES

Prior to construction, approval by the DDRC is required based upon at least the following submission prepared by a registered architect on a size not to exceed 36" x 48":

Complete working drawings and specifications containing all necessary details for constructing all aspects of the project including: building plans, elevations, sections, details, color and material samples for all exterior surfaces; site grading, landscaping, including preserved and proposed plant materials; drainage and utility lines, walks, drives, fences, exterior lighting, signage and other site improvements.

In the case of pre-engineered buildings, simple in nature, an architect shall not be required except that an architect or engineer shall be required in conformance with applicable building codes.

Upon consummation of an agreement to purchase, there may be held a pre-design conference. Prospective owners should be prepared to present and discuss their initial development concepts including:

Building use program.

Site development program including parking, open space, landscaping, etc.

Any sketch, photographs, illustrations or other material (including reference to any similar project) which would assist the DDRC in understanding and evaluating the design intentions.

As a result of the pre-design conference and within 7 days, the DDRC may outline any preliminary submission requirements as appropriate for a specific property and building program so that, if necessary, any revisions will be identified as early as possible. (Examples of possible preliminary submission items are: schematic building drawings, site development schematics, massing study models or isometric drawings, etc.) The purpose of the pre-design conference is to assist both the DDRC and the prospective owner in achieving the most efficient and successful possible design and approval procedure for each particular building program.

APPENDIX "C" - REVIEW PROCESS

All submissions shall be delivered or mailed, postage paid, to:

Design and Development Review Committee (DDRC)
132 Harbison Boulevard, Suite 301
Columbia, SC 29212

All approvals and disapprovals shall be in writing and signed by a member of the DDRC. Whenever the DDRC disapproves a submission or grants a "Conditional Approval" at the request of the proponent, it will be obliged to specify in writing the conditions under which the DDRC would accept the submission. However, it is not the responsibility of the DDRC to furnish the applicant with a design. If the DDRC fails to take action on an application within 45 days, the application may be deemed to be approved.

APPENDIX "D" - CONSTRUCTION CONTROLS

PLAN APPROVAL: Application to the appropriate government agency for building permits or site plan approval must not be made until plans have been approved by the DDRC. Staking out, site clearing and grading may begin only after the DDRC and the appropriate government agency have approved the submission.

FIELD OFFICES: Trailers, field offices, stockpiles, etc. shall be placed in approved locations and removed upon completion of construction.

FIELD INSPECTION: Prior to placement of construction trailers, signs or construction stockpiles on any site, the owner should contact the DDRC which will confirm appropriate locations of such facilities.

CONSTRUCTION MATERIAL STORAGE: Builders are permitted to store construction materials on their sites, but all materials shall be neatly stacked and any such storing shall be at the builder's risk. Heavy construction equipment such as a bulldozer may be stored at the site, but it shall be parked in an area away from the public.

WASTE MATERIAL: Builders shall clean up all debris on their construction sites at the end of each day and this trash shall be removed from the site at least once a week. Loose paper, cardboard, etc. shall be covered or weighted down to prevent wind from blowing it across the site. Builders shall be prohibited from dumping, burying or burning trash anywhere in Harbison except in approved areas, if any.

APPEARANCE OF STREETS: Each builder shall promptly remove from public or private streets any dirt, mud or debris resulting from his activity on the site. No tracked vehicle shall be allowed on any paved road in Harbison.

SANITARY FACILITIES: Each builder shall be responsible for providing adequate sanitary facilities for his construction workers in an approved location.

SITE CLEAN UP: Upon completion of construction and prior to receiving his final Certificate of Compliance, each builder shall remove unused materials, equipment and debris. In addition, all sites and streets shall be cleaned, including but not limited to, restoration of grades, planting grass and trees and repair to streets, pathways, curbs, drains, signs, lighting and fencing.

APPENDIX "E" - CERTIFICATES OF COMPLIANCE

The Declaration (Article VII, Section 8.13) provides for the issuance of a Certificate of Compliance by the DDRC to an owner upon completion of the construction or alteration of any structure. The Certificate must be requested in writing by the owner and will state that the plans and specification, location and use(s) of the structure or lot have been approved and that the structure complies with these guidelines. The Certificate of Compliance is necessary to satisfy purchasers that no Right of Action is pending on the lot.

Upon request, final on-site inspections will be made by the DDRC after all items have been completed. A Certificate of Compliance will be issued after final inspection.

In no event shall such a Certificate of Compliance be deemed a certification by DDRC as to compliance of a structure with any governmental regulations or requirements.